

Message Text

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ACTION COME-00

INFO OCT-01 NEA-10 ISO-00 AID-05 CIAE-00 EB-07 FRB-03

INR-07 NSAE-00 USIA-06 TRSE-00 XMB-02 OPIC-03 SP-02

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FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 470

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E.O. 11652: N/A

TAGS: EGEN, PFOR, BTIO, TS

SUBJ: DISSEMINATION OF ARAB BUSINESS OPPORTUNITIES/
ARAB BOYCOTT CLAUSE

REF: DEPT A-6200; TUNIS 5972; TUNIS 6053, SEPT 28, 1974

1. EMBASSY HAS CAREFULLY REVIEWED REPAIR AND REGRETS
INCLUSION BY USDOC OF WARNING AGAINST
PUTATIVE SECONDARY BOYCOTT PRACTICES IN TUNISIAN TRADE
OPPORTUNITIES, WHETHER PUBLIC OR PRIVATE. AS THIS
EMBASSY HAS REPORTED ON SEVERAL OCCASIONS (TUNIS REFTELS
AND PREVIOUS), TUNISIA NEITHER ADHERES TO THE "ARAB
BOYCOTT" LIST NOR DOES IT PARTICIPATE IN ANY FORM OF
SECONDARY BOYCOTT. CALLS-FOR-BIDS AND TENDER DOCUMENTS
DO NOT RPT NOT CONTAIN BOYCOTT CLAUSES, NOR DO SUBSEQUENT
NEGOTIATIONS REQUIRE ASSURANCES THAT ANY SECONDARY
BOYCOTT PROVISION BE OBSERVED.

2. TUNISIA PROHIBITS IMPORTATION OF GOODS FROM
CERTAIN COUNTRIES, SUCH AS SOUTH AFRICA, RHODESIA,
ISRAEL AND, PREVIOUSLY, PORTUGAL. MANY COUNTRIES
MAINTAIN OR HAVE MAINTAINED THIS TYPE OF PRIMARY
BOYCOTT ON BOTH IMPORTS AND EXPORTS WITH NO CHARGE OF
RESTRICITVE TRADE PRACTICE TO BEST OF OUR KNOWLEDGE.

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3. IT APPEARS THAT TUNISIA WAS INCLUDED IN PROPOSED NOTIFICATION PROGRAM SOLELY AS RESULT OF ITS MEMBERSHIP IN ARAB LEAGUE. AS OBSERVATION OF BOYCOTT PROCEDURES IS NOT RPT NOT REQUIREMENT FOR MEMBERSHIP IN ARAB LEAGUE, NOR IS BOYCOTT SYSTEM AN INTEGRAL PART OF THAT ORGANIZATION, GENERALIZATION TO ALL MEMBERS OF ARAB LEAGUE WITHOUT REFERENCE TO ACTUAL PRACTICES WOULD APPEAR TO BE UNJUSTIFIABLE.

4. EMBASSY STRONGLY RECOMMENDS THAT APPLICATION OF THE PROPOSED PROGRAM TOTUNISIA BE RECONSIDERED. EMBASSY WILL, IN MEANTIME, FOLLOW PROCEDURES TO SCREEN CAREFULLY ALL TRADE AND INVESTMENT OPPORTUNITIES FROM TUNISIA TO DETERMINE WHETHER THEY CONTAIN A BOYCOTT CLAUSE AND SO INFORM USDOC AT TIME OF SUBMITTAL. IT SHOULD BE STRESSED, HOWEVER, THAT, BASED ON OUR BEST INFORMATION, TUNISIAN BID DOCUMENTS HAVE NEVER CONTAINED SUCH BOYCOTT CLAUSES. EMBASSY WILL ALSO REMAIN ALERT TO ANY ATTEMPT BY TUNISIAN ENTITIES, PUBLIC OR PRIVATE, TO INTRODUCE SECONDARY BOYCOTT FACTORS IN COURSE OF CONTRACT NEGOTIATIONS.

5. ANY CHANGE IN REFAIR PROCEDURE WHICHISOLATES TUNISIA FROM REST OF ARAB LEAGUE SHOULD BE DONE INTERNALLY WITHIN USG AND SHOULD NOT DRAW UNDUE ATTENTION TOSUCH ACTION.
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